

ORDINANCE NO. \_\_\_\_\_, SERIES 2014

AN ORDINANCE RELATING TO THE COMMUNICATIONS SERVICES  
FRANCHISE ORDINANCE THAT AMENDS THE FRANCHISE TERM PERIOD  
AND BONDING REQUIREMENTS.

Sponsored By: Council Member Kevin Kramer

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON  
COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

**SECTION I:** LMCO Chapter 116.71(J) is hereby amended to read as follows:

**§ 116.71 COMMUNICATIONS SERVICES.**

(J) *Term.* A franchise shall ~~be effective for a term of 15 years from its effective date.~~ be for a term not to exceed twenty years.

**SECTION II:** LMCO Chapter 116(F)(1) is hereby amended to read as follows:

**§ 116.72 RIGHTS-OF-WAY MANAGEMENT AND FACILITIES REQUIREMENTS.**

(F) *Insurance and bonds.* During the term of any franchise, a franchisee shall obtain and maintain at its sole expense, all insurance and bonds required by this subchapter. Nothing contained in this subchapter shall limit a franchisee's liability to Louisville Metro to the limits of insurance certified or carried.

~~(1) All persons submitting an application for a franchise in accordance herewith shall file with their applications a Bid bond with a surety company that is Treasury listed with a rating of A- or better solely for the protection of Louisville Metro equal to 10% of the bid price. Upon being awarded a franchise, Franchisee shall immediately file a performance and payment bond equal to 100% of the contract price and a Franchise bond in the amount of \$1,000,000, and a performance bond in an amount to be determined by the Director of the Department of Public Works and Assets. In no event shall the amount required by the Department of Public Works and Assets exceed the reasonable costs of repairing the rights of way in the event of non-performance by the franchisee. Said performance bond shall provide for the faithful performance of construction and installation, of franchisee's system. Two years after demonstration of the completion of the construction of the system by franchisee to Public Works and Assets Department, Public Works and Assets Department shall release the performance bond.~~

**SECTION III:** This Ordinance shall take effect upon its passage and approval.

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H. Stephen Ott  
Metro Council Clerk

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Jim King  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: \_\_\_\_\_  
OrdinanceAmendingCommunicationsServicesFranchiseOrdinance2014 kbb, kr

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